

IN THE UNITED STATES DISTRICT COURT
FOR THE SOTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ARTIS ELLIS,

Plaintiff,

VS.

EDUCATIONAL COMMISSION OF
FOREIGN MEDICAL GRADUATES,

Defendant.

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CIVIL ACTION NO.

4:14-cv-02126

**DEFENDANT EDUCATIONAL COMMISSION FOR FOREIGN MEDICAL
GRADUATES' JOINT MOTION FOR CONTINUANCE OF ALL CASE DEADLINES**

Plaintiff Artis Ellis and Defendant Educational Commission for Foreign Medical Graduates (hereafter “the Parties”) file this Joint Motion for Continuance of All Case Deadlines to extend all existing case deadlines in the Court’s Scheduling Order for a period of four months. In support of this Joint Motion, the Parties state the following:

1. Plaintiff filed her Complaint on July 24, 2014, alleging claims of discrimination and retaliation based on the American’s with Disabilities Act, as amended, (“ADAAA”), the Texas Commission on Human Rights Act (“TCHRA”), and the Family and Medical Leave Act (“FMLA”).

2. This is the Parties’ first request for an extension of any of the deadlines contained in the Court’s Scheduling Order, which was entered on November 6, 2014 at Dkt. 15.

3. The Parties have participated in written discovery and request this extension in part to allow them the requisite time to complete the discovery process while at the same time allow counsel to avoid certain scheduling conflicts presented by the present deadlines in the Scheduling Order.

4. Counsel for Defendant is presently set for trial in the Eastern District of Texas as well as in Denton County, Texas district court for this month and the following month, and those trial settings have impaired counsel's ability to complete discovery.

5. Counsel for Plaintiff was also set for trial in September and is presently set for trial in the Southern District of Texas in early December, and those trial settings have impaired counsel's ability to complete discovery.

6. This extension of time will allow the Parties the requisite time to complete discovery and prepare this case for trial.

7. Given the above, this extension is not sought for delay only, but so that justice may be done.

8. The Parties have conferred and would respectfully propose the following amendments to the Court's Scheduling Order (and a draft proposed Scheduling Order is attached at Ex. A):

- a. The discovery deadline would be moved from November 6, 2015 to March 4, 2016.
- b. The dispositive motions and non-dispositive motions deadline would be moved from January 7, 2016 to May 6, 2016.
- c. The joint pretrial order deadline would be moved from March 7, 2016 to July 13, 2016.
- d. The current trial date would be reset from the present date of March 21, 2016 to July 25, 2016.

WHEREFORE, Plaintiff Artis Ellis and Defendant Educational Commission for Foreign Medical Graduates jointly request that this Court enter an Order granting this Joint Motion for Continuance and thereby continue all existing case deadlines for a period of four months.

Dated: October 16, 2015

Respectfully submitted,

/s/ Terrance B. Robinson

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CERTIFICATE OF CONFERENCE

Counsel for Defendant and Plaintiff's Counsel conferred on October 16, 2015 regarding this Motion and Plaintiff's counsel stated that he is not opposed to the relief sought herein.

/s/ Stefanie R. Moll
Stefanie R. Moll

CERTIFICATE OF SERVICE

Counsel for Defendant hereby certifies that a true and correct copy of the above and foregoing document has been forwarded to all counsel of record through CM/ECF on 16th day of October, 2015.

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